

REMARKS

The examiner has rejected the independent claims (1, 23) under 35 USC 102 as being anticipated by Grabelsky. The examiner is urged to reconsider and withdraw the rejection.

Claims 1 and 23 have been further amended to clarify what is meant by the contention control information that the first station detects from information transmitted by another station in a prior frame. The amendment adds the following description of that information (emphasis added):

wherein the information transmitted by the other station in a prior frame comprises a field of the prior frame, and wherein the prior frame containing the field was successfully transmitted to the first station

Thus, the information from which the first station determines whether it is permitted to contend for access during a contention period must thus be a field of the prior frame, and the prior frame must have been successfully transmitted to the first station.

In Grabelsky, stations contend during a contention period by transmitting a frequency tone. Stations listen, and only stations transmitting the highest frequency tone are allowed to transmit. Stations qualifying to transmit, then proceed to transmit. This may result in collisions (e.g., if more than one station qualified to transmit the highest frequency tone). Stations that detect the occurrence of a collision proceed to a new contention resolution interval, to decide which station is permitted to transmit.

This procedure in Grabelsky of having stations that detect a collision determine from the fact of a collision that they should contend for access is a very old and common technique. It was believed that claims 1 and 23 distinguished from this prior art, but it appears that the examiner is giving an unintended broad interpretation to "information transmitted by another station in a prior frame". The examiner is interpreting the occurrence of a collision as constituting "information transmitted by another station in a prior frame". Grabelsky's stations do determine from the occurrence of a collision that they should proceed to contend in a further round of contention resolution, and in some sense they determine that from information transmitted in a prior frame.

But the amendments made herein to claims 1 and 23 now make it clear that the "information" cannot be merely the occurrence of a collision. It must be a "field" in a prior frame that was "successfully transmitted" to the station. Clearly, Grabelsky does not teach transmitting a frame with a field from which another station can determine whether it should contend for access in a contention period.

The examiner also relies on Lee in making various rejections under 35 USC 103(a) of the dependent claims. Lee does not add anything that would make the invention of claims 1 and 23 obvious. Lee uses a complex system of reservations to provide contention free access to its stations. There is no suggestion of the invention's use of a field transmitted in a prior frame to inform a station as to whether it should contend for access in a contention period. Instead of contending, the stations in Lee use the reservation process to reserve a time slot.

Accordingly, claims 1 and 23 are in condition for allowance.

The remaining claims are all properly dependent on one or more of the independent claims, and thus allowable therewith. Each of the dependent claims adds one or more further limitations that enhance patentability, but those limitations are not presently relied upon. For that reason, and not because applicants agree with the examiner, no rebuttal is offered to the examiner's reasons for rejecting the dependent claims.

Allowance of the application is requested.

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Enclosed is a \$450.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

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